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October 1, 2010

Matthew A. Slaven
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VIA FEDERAL EXPRESS

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 Hampton Drive
Capitol Heights, MD 20743

**Re: CC Docket No. 09-197
2010 Eligible Telecommunications Carrier Certification and Annual Report**

Dear Ms. Dortch:

By letter dated September 29, 2010, Celco Partnership d/b/a Verizon Wireless filed its Requests for Confidential Treatment of Exhibits to 2010 Eligible Telecommunications Carrier Certification and Annual Report for the following states:

State	Spin	Study Area Code	Study Area Name
AL	143000677	259029 ^[1]	Celco Partnership d/b/a Verizon Wireless
FL	143008900	219903	Alltel Communications, LLC d/b/a Verizon Wireless
GA	143008900	229004	Alltel Communications, LLC d/b/a Verizon Wireless
NC	143000677	239003	Celco Partnership d/b/a Verizon Wireless
VA	143000677	199014 ^[2]	Celco Partnership d/b/a Verizon Wireless

Enclosed are the original executed copies of the Requests. If you have any questions, please contact me.

Very truly yours,


Matthew A. Slaven

MAS/sjc
Enclosures
cc: Verizon Wireless

¹ Formerly SACs 2590001 and 259792.

² Formerly SACs 199001 and 199006.

Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of)	
)	
Federal-State Joint Board on)	WC Docket No. 09-197
Universal Service)	

**CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS
REQUEST FOR CONFIDENTIAL TREATMENT OF EXHIBITS TO 2010 ELIGIBLE
TELECOMMUNICATIONS CARRIER CERTIFICATION AND ANNUAL REPORT
FOR THE STATE OF ALABAMA**

September 30, 2010

VERIZON WIRELESS
John T. Scott, III
Stephen B. Rowell
1300 I Street NW, Suite 400W
Washington, D.C. 20005
(202) 589-3770

For the reasons stated herein, Celco Partnership d/b/a Verizon Wireless ("Verizon Wireless" or the "Company") hereby requests that **Confidential Exhibits B-1 and B-2** (Progress Reports on Service Improvement Plans previously filed with the Commission), **Confidential Exhibit C** (coverage map), **Confidential Exhibit D** (Updated Service Improvement Plan for 2010-2012), **Confidential Exhibits F-1 and F-2** (Outage Reports for period January 1, 2009 through December 31, 2009), and **Confidential Exhibit G-1** (unfulfilled requests for service for period January 1, 2009 through December 31, 2009) to the attached 2010 Eligible Telecommunications Carrier Certification and Annual Report for the State of Alabama, be treated as confidential and not routinely available for public inspection pursuant to 47 C.F.R. §§ 0.457(d) and 0.459. Redacted copies of **Confidential Exhibits B-1 and B-2**, **Confidential Exhibit C**, **Confidential Exhibit D**, **Confidential Exhibits F-1 and F-2**, and **Confidential Exhibit G-1** are being filed separately today for inclusion in the public record.

Confidential Exhibits B-1 and B-2, **Confidential Exhibit C**, **Confidential Exhibit D**, **Confidential Exhibits F-1 and F-2**, and **Confidential Exhibit G-1** contain information that qualifies as "commercial or financial information" that "would customarily be guarded from competitors," regardless of whether or not such materials are protected from disclosure by a privilege. *See* 47 C.F.R. § 0.457(d); *see also Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992) ("[W]e conclude that financial or commercial information provided to the Government on a voluntary basis is 'confidential' for the purpose of Exemption 4 if it is the kind that would customarily not be released to the public by the person from whom it was obtained.").

The confidential information contained in **Confidential Exhibits B-1 and B-2** and **Confidential Exhibit D** relates to the status of historical and proposed infrastructure

expenditures and capital improvements by Verizon Wireless in its designated areas in Alabama, as well as operating and maintenance expense information. **Confidential Exhibit C** is a signal coverage map that illustrates, among other things, the location of infrastructure improvements in the designated areas. The Commission has previously determined that information in a Service Improvement Plan is "Confidential" and has granted a Protective Order to allow access to and to protect against the dissemination of such "Confidential" information.¹ The Commission routinely grants Protective Orders to protect the confidentiality of such information.² Since the information in **Confidential Exhibits B-1 and B-2** is a Progress Report on Verizon Wireless' previously filed Service Improvement Plan, **Confidential Exhibit D** is an update to the Service Improvement Plan, and **Confidential Exhibit C** is a map showing the location of infrastructure improvements, they should be afforded "Confidential" status.

Confidential Exhibits B-1 and B-2, Confidential Exhibit C, and Confidential Exhibit D contain sensitive information that if disclosed could place Verizon Wireless at a competitive disadvantage, including specific information regarding capital and operating expenditures, future construction plans, and anticipated funding levels that warrant protection under 47 C.F.R. § 0.459. Verizon Wireless would be placed at a significant disadvantage if this

¹ See *In the Matter of High-Cost Universal Service Support, Federal-State Joint Board on Universal Service, Alltel Communications, Inc. et al. Petitions for Designation as Eligible Telecommunications Carriers, RCC Minnesota, Inc. and RCC Atlantic, Inc. New Hampshire ETC Designation Amendment*, WC Docket 05-337, CC Docket 96-45, Order, 23 FCC Red 8834 (2008); *In the Matter of Federal-State Joint Board on Universal Service, RCC Holdings, Inc. Petition for Designation as an Eligible Telecommunications Carrier*, CC Docket 96-45, Order, 17 FCC Red 23532 (WCB 2002).

² See *In the Matter of Federal-State Joint Board on Universal Service Petition of Cingular Wireless, LLC for Designation as an Eligible Telecommunications Carrier in the State of Georgia*, CC Docket No. 96-45, Order, 22 FCC Red 15244, ¶¶ 1-3 (WCB 2007); *In the Matter of Federal-State Joint Board on Universal Service NEP Cellcorp, Inc. Application for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Pennsylvania*, CC Docket No. 96-45, Order, 22 FCC Red 15252, ¶ 2 (WCB 2007); *In the Matter of Federal-State Joint Board on Universal Service Petition of Centennial USVI Operations Corp. Petition for Designation as an Eligible Telecommunications Carrier in the United States Virgin Islands*, CC Docket No. 96-45, Order, 22 FCC Red 16988, ¶ 2 (WCB 2007).

information were revealed to competing service providers, who stand to benefit competitively from any knowledge of the redacted commercial and financial information included in these materials. If the redacted commercial and financial information were disclosed to competitors of Verizon Wireless, they could use such information to compete against Verizon Wireless or take other action that would place the Company at a substantial competitive disadvantage. In addition, Verizon Wireless' future ability to negotiate with vendors could be prejudiced by the disclosure of this information. The redacted material is not and has not previously been made available to the public, and Verizon Wireless has taken internal precautions to ensure that such information is not disclosed to the public.

Confidential Exhibits F-1 and F-2 contain highly sensitive network outage information required by 47 C.F.R. § 54.209(a). Commission Rule 54.209(a) was modeled on the outage reporting requirements in 47 C.F.R. Part 4. When it adopted the Part 4 reporting requirements, the Commission found that such data presents national security and competitive concerns and should be deemed confidential when filed with the Commission. *In the Matter of New Part 4 of the Commission's Rules Concerning Disruptions to Communications*, ET Docket No. 04-35, Report and Order and Further Notice of Proposed Rulemaking, 19 FCC Red 16830, ¶ 3 (2004) ("This data, though useful for the analysis of past and current outages in order to increase the reliability and security of telecommunications networks in the future, could be used by hostile parties to attack those networks, which are part of our Nation's critical information infrastructure. The disclosure of outage reporting information to the public could present an unacceptable risk of more effective terrorist activity. We therefore will treat the information that will be provided as confidential.") The information in **Confidential Exhibits F-1 and F-2** is entitled to be treated as confidential for these same reasons.

Finally, **Confidential Exhibit G-1** contains confidential information concerning specific subscriber locations, the Company's level of service at such locations, and efforts made by the Company to extend service to the specified locations. This confidential information qualifies as "commercial or financial information" that "would customarily be guarded from competitors," regardless of whether or not such materials are protected from disclosure by a privilege. See 47 C.F.R. § 0.457(d); see also *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992) ("[W]e conclude that financial or commercial information provided to the Government on a voluntary basis is 'confidential' for the purpose of Exemption 4 if it is the kind that would customarily not be released to the public by the person from whom it was obtained."). Verizon Wireless would be placed at a significant disadvantage if this information were revealed to competing service providers, who stand to benefit competitively from any knowledge of the redacted information included in these materials.

Respectfully submitted,



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September 30, 2010

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